

**DOCKET NO. EHP0001**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the U.S. Application of

Herman TAUB

Group Art Unit: 2164 (Anticipated)

U.S. Serial No.: Not Yet Assigned

Examiner: Kazimi, H. (Anticipated)

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For: METHODS, SYSTEMS AND APPARATUSES FOR MATCHING INDIVIDUALS WITH BEHAVIORAL REQUIREMENTS AND FOR MANAGING PROVIDERS OF SERVICES TO EVALUATE OR INCREASE INDIVIDUALS' BEHAVIORAL CAPABILITIES

Assistant Commissioner For Patents  
Washington, D.C. 20231

**PRELIMINARY AMENDMENT**

Sir:

Prior to initial examination, please amend the above-identified Continuation Application as follows:

**IN THE SPECIFICATION:**

Page 1, line 5, please add --This application is a continuation of U.S. Application 08/886,968--.

**IN THE CLAIMS:**

**Please cancel claims 1-51.**

**Please add the following claims:**

52. (New) A system for matching individuals with behavioral requirements for one or more roles and situations, comprising:

means for entering and storing first data on individuals using the system, wherein the data include identities of the individuals and the individuals' attained performance levels of behavior indicator items, on scales of invariant parameters, for the behavioral requirements for the particular roles and situations;

means for entering, storing, selecting and carrying out statistical procedures with which to establish characteristics of and between the behavioral indicator items, the individuals, and the individuals' performance of the behavioral indicator items;

means for entering and storing second data on behavioral requirements of the one or more roles and situations; and

means for comparing the second data on the behavioral requirements with the first data on the individuals to determine whether one of the individuals matches one or more of the roles and situations.

53. (New) The system of claim 24, further comprising:

means for entering and storing third data on specific attainment-improvement interventions targeted at improving the individuals' attained performance level of the at least one behavior indicator item, wherein the third data includes data on the individual's attained performance levels of the behavior indicator items prior to, during, and after the specific interventions; and

means for calculating probable effects of one of the specific interventions on the one of the individuals.

54. (New) The system of claim 52, further comprising:

means for entering and storing longitudinal data on success and failure of individuals in a role and situation of the one or more roles and situations with which they have been previously matched;

means for entering, storing, selecting and carrying-out iterative statistical procedures with which to generate, and evaluate effects of alternative criteria in procedures for matching individuals with one or more roles and situations;

means for identifying a set of alternative criteria which maximizes overall predictive validity of procedures for matching individuals with a specific role and situation of the one or more roles and situations and with specific attainment-improvement interventions; and

means for implementing changes in criteria to maximize the overall predictive validity of procedures for matching individuals with a specific role and situation of the one or more roles and situations and with specific attainment-improvement interventions.

55. (New) The system of claim 52, further comprising:

means for identifying one of the individuals using the system as an individual being matched, or as an individual authorized to change requirements for a specific role and situation, or as an individual authorized to change requirements for a specific attainment-improvement intervention; and

means for locking out access to particular aspects of the system based on identification of the individuals using the system.

56. (New) The system of claim 52, further comprising:

means for electronically storing and accessing audio, video or textual presentations designed to elicit from a system operator behavioral indicators of a level of ability attainment indicative of the behavioral abilities of the individuals;

means for selecting segments of the presentations calculated to maximize a probability of obtaining valid data on the behavioral indicators relevant to matching the

operator with a role and situation of the plurality of roles and situations, to matching the operator with an attainment-improvement intervention, or to providing the operator with an optimum challenge to demonstrate an increased ability level in one or more dimensions.

means for presenting the selected segments to the operator.

means for operator inputting behavioral indicators in response to the selected segments of the presentations.

57. (New) The system of claim 56, wherein the electronically storing means includes a series of scenario segments in which the operator assumes a role and the operator may intervene in that role at anytime or in any manner, the actions and inactions constituting behavioral indicators of the operator's abilities attainment.

58. (New) The system of claim 56, wherein said selecting means additionally includes means to select presentations representing a just right challenge, neither too easy or boring nor excessively difficult an frustrating.

59. (New) The system of claim 57, wherein said series of scenario segments are selected to present the operator with situations in later segments that are specific consequences or the operator's interventions in earlier segments.

60. (New) The system of claim 55, wherein the means for identifying one of the individuals using the system includes means of processing voice responses of the individuals using the system through a method of speaker verification in one or more languages.

61. (New) The system of claim 52, wherein the means for entering and storing the first data includes means of processing voice responses of the individuals using the system through a method of speech recognition in one or more spoken languages.

62. (New) The system of claim 52, wherein the means for entering and storing the first data includes means for inputting and processing data from various devices requiring limb or body movements for obtaining data on physiological abilities.

63. (New) The system of claim 52, wherein the means for entering and storing the first data includes means for timing and evaluating timing data on behavioral indicators requiring a specific time interval for responses from the individuals using the system.

64. (New) The system of claim 52, wherein the means for entering and storing the first data includes means of inputting and processing tension levels of one of the individuals using the system during a process of demonstrating behavioral indicators requiring a specific minimum or maximum change in tension during responses by the one of the individuals using the system.

65. (New) The system of claim 52, wherein the means for entering and storing the first data includes means of inputting and processing brain waves of the individuals using the system during a process of demonstrating behavioral indicators requiring specific brain waves during responses of the individuals using the system.

66. (New) The system of claim 64, wherein the means of inputting and processing tension levels comprises:

an apparatus for unobtrusively obtaining transcutaneous data on the tension levels of an operator of the apparatus simultaneous with performing specific computer operations, wherein the apparatus comprises imbedding transducers into surfaces of a computer device that comes in contact with the skin of the operator of the apparatus.

67. (New) The system of claim 66, wherein the computer device comprises one of a computer mouse, a joystick, a tracking ball, earphone or any other computer device involving contact with the operators skin.

68. (New) The system of claim 65, wherein the means of inputting and processing brain waves comprises:

an apparatus for unobtrusively obtaining data on an individual's brain waves associated with specific computer workstation operations, wherein the apparatus comprises imbedding transducers into surfaces of a headband holding earphones to generate transcutaneous data suitable for processing into a determination of the location, shape and timing of brain waves simultaneous with the specific computer workstation operations.

69. (New) The system of claim 59, wherein the operator at one workstation can be electronically linked to one or more operators, each at their own workstations, through a linkage means which processes information from and to the linked workstations according to established protocols for differentiated roles of the particular operators at each of the workstations.

70. (New) A method for identifying relative stressor levels of mediated presentations, for the purpose of considering the tension inducing effects of such presentations upon media users, comprising:

identifying the required behavioral capabilities, other than stress management related, for appropriate user response to each of a multiplicity of presentations;

identifying a multiplicity of individuals with reliable data on their respective attainment of the required behavioral capabilities, other than stress management related, for appropriate user response to the multiplicity of presentations;

obtaining data on the tension experienced by each individual and the responses of each individual while interacting with each of the presentations;

processing the data on identified presentations and individuals, utilizing one or more statistical techniques, to establish one or more hierarchical relationships among the individuals of their relative vulnerability to tension inducement, hierarchical relationships among the presentations or their relative stressor levels and indices of the fit of the data on each individual and on each presentation to the statistically derived theoretical model on which the established hierarchical relationships have been predicated;

eliminating the data on individuals and presentations below an acceptable fit and reprocessing the remaining data, continuing to so eliminate and reprocess until all remaining individuals and all remaining presentations have an acceptable fit to a statistically derived model for establishing hierarchical relationships of tension vulnerability among individuals and stressor levels among presentations;

constructing a scale, for one or more relationships between presentation required an individual attained capabilities other than stress management related, relating known individuals' tension vulnerability and known presentations' stressor level; and

identifying the unknown stressor levels of particular presentations on the scale through reference of the tension induced by the particular presentation in individuals of known tension vulnerability.

**REMARKS**

It is respectfully requested that this preliminary amendment be entered prior to the initial examination on the merits. A favorable action on the merits of the pending claims is now solicited.

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone applicant's undersigned representative at the number listed below.

Respectfully submitted,

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